



Date: July 7, 2020

To: Legislative Advisory Commission Members

Senator Paul Gazelka
Senate Majority Leader

Senator Julie Rosen, Chair
Finance Committee

Senator Michelle Benson, Chair
Health and Human Services Finance and Policy
Committee

Senator Jim Abeler, Chair
Human Services Reform Finance and Policy
Committee

Representative Melissa Hortman
Speaker of the House

Representative Lyndon Carlson, Sr., Chair
Ways and Means Committee

Representative Tina Liebling, Chair
Health and Human Services Finance Division

From: Myron Frans, Secretary Legislative Advisory Commission

Subject: URGENT REVIEW | #25-28 Coronavirus Relief Fund Request to Legislative Advisory Commission

This is a request to spend federal dollars received through the CARES Act as part of the Coronavirus Relief Fund for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19). This request is submitted under M.S. 3.3005 subd. 4 and 5, which allows for a 10-day review.

Attached are the details of the federal fund review requests. Details about these requests were shared in a briefing for the Legislative COVID-19 Response Commission members and the chairs of the relevant House and Senate Finance Committees on July 7, 2020.

Federal Fund Review Requests	FY 2020
25. MNsure Special Open Enrollment due to COVID-19	\$502,620
26. Department of Human Services Operating Funding – Central Office	\$5,430,000
27. Department of Human Services Operating Funding – Direct Care and Treatment	\$13,059,000
28. Department of Health Operating Reimbursement Request	\$9,734,903
Total:	\$28,726,523

PROCEDURE FOR LAC REVIEW:

We are requesting LAC members respond to the review request directly by email. Please identify the requests to which you are submitting your recommendations. If you are submitting your recommendation for all the requests, please note that in your recommendation.

If no request for further review is received from the six LAC members by Friday, July 17, 2020, I will approve the request for spending. To expedite the LAC review process during this critical time, LAC members may respond to this review request directly, recommending their approval or request for further review, instead of waiting the 10-day period.

CC: Bill Marx, House Fiscal Analysis Department
Eric Nauman, Senate Lead Fiscal Analyst

Coronavirus Relief / Health Care Response / COVID-19 Minnesota Funds Request Form

Please complete this form in accordance with the process instructions.

Agency/Point of Contact: MNsure/Gerald Wood

Title of Request: MNsure Special Open Enrollment due to COVID-19

Date: 6/26/2020 **Request Amount:** \$ 502,620

Expenditure Time Period: 3/23/2020 to 4/21/2020

Request Funding Source:

- Coronavirus Relief Fund (if selected complete page 2)
- Health Care Response Fund
- COVID-19 Minnesota Fund

Brief Summary of Request: (Summary must be complete on this page with supporting information attached)

MNsure is requesting reimbursement for payroll and computer system support necessary for a Special Open Enrollment period from 3/23/2020 to 4/21/2020.

As a result of COVID-19, and under the direction of the Governor’s Office and MNsure Board, MNsure issued a Special Enrollment Period (SEP) to help uninsured Minnesota residents enroll in health insurance coverage during the current worldwide pandemic. The costs incurred during the SEP would not have occurred had MNsure not issued the COVID-19 SEP.

MNsure is only asking to be reimbursed for the direct labor and expenses incurred to hold the SEP:

- * Contact Center Direct Labor: \$373,001.42
- * Contact Center Staff Augmentation (Vendor): \$44,418.56
- * Modifications to GetInsured enrollment and shopping IT systems: \$85,200.00
- * TOTAL: \$502,619.98

During the COVID-19 SEP MNsure handled 39,909 calls, supported 99,554 plan comparison sessions, and enrolled 9,482 Minnesotans in a qualified health plan.

MNsure has incurred, and continues to incur, additional costs as a result of COVID-19, but is not seeking reimbursement at this time for anything beyond the scope of the COVID-19 SEP.

Supporting documentation of those costs is included with this request.

Department Head Signature

6/26/2020

Date

Coronavirus Relief Fund (CRF) Categories

Medical Expenses	<input type="checkbox"/> Costs incurred by public hospitals, clinics, and similar facilities
	<input type="checkbox"/> Establishing temporary public medical facilities and other measures to increase treatment capacity, including related construction costs
	<input type="checkbox"/> Testing, including serological testing
	<input type="checkbox"/> Emergency medical response expenses, including emergency medical transportation
	<input type="checkbox"/> Establishing and operating public telemedicine capabilities for COVID-19 related treatment
Public Health Expenses	<input type="checkbox"/> Communication and enforcement of public health orders related to COVID-19.
	<input type="checkbox"/> Acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers
	<input type="checkbox"/> Disinfection of public areas and other facilities, e.g., nursing homes, in response to the COVID-19 public health emergency
	<input type="checkbox"/> Technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety
	<input type="checkbox"/> Public safety measures undertaken in response to COVID-19
	<input type="checkbox"/> Expenses for quarantining individuals
	<input type="checkbox"/> Contact tracing
Payroll Expenses	<input type="checkbox"/> Recovery planning projects or operating a recovery coordination office
	<input type="checkbox"/> Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
Compliance with Public Health Measures	<input type="checkbox"/> Food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
	<input type="checkbox"/> Facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
	<input type="checkbox"/> Improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions
	<input type="checkbox"/> Providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions
	<input type="checkbox"/> Maintaining state prisons and county jails, including sanitation and the improvement of social distancing measures, to enable compliance with COVID-19 public health precautions
	<input type="checkbox"/> Care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions
Economic Support	<input type="checkbox"/> Provision of grants to small businesses to reimburse the costs of business interruption caused by required closures
	<input type="checkbox"/> Expenditures related to a state, territorial, local, or tribal government payroll support program.
	<input type="checkbox"/> Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise
	<input type="checkbox"/> Facilitation of livestock depopulation incurred by producers due to supply chain disruption
	<input type="checkbox"/> Programs designed to prevent eviction and assist in preventing homelessness due to COVID-19 public health emergency
	<input type="checkbox"/> Employment and training programs for employees that have been furloughed due to the COVID-19 public health emergency
	<input type="checkbox"/> Emergency financial assistance to individuals or families directly impacted by loss of income
Other	<input checked="" type="checkbox"/> Other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria. If this category is selected, please explain further here:

CRF Fund Request Confirmations

- **Confirm that your CRF funding request meets federal guidance: (1) as a necessary expenditure to respond to the COVID-19 public health emergency, (2) is not accounted in the current biennial budget and (3) funds will be expended by December 30, 2020.**
- **Confirm that your CRF funding request does NOT include expenses that cover:**
 - The state's share of Medicaid costs
 - Damages covered by insurance
 - Payroll or benefits of employees whose work duties are not substantially dedicated to mitigating or responding to COVID-19
 - Costs reimbursed under other federal programs or funding sources
 - Reimbursement to donors for donated items or services
 - Workforce bonuses other than hazard pay or overtime
 - Severance pay
 - Government revenue replacement, including provision of assistance to individuals or businesses to meet tax obligations
- **Confirm that your agency will maintain records related to these expenses that will be sufficient to demonstrate that they are in accordance with the requirements of the CARES Act.**
- **Confirm that your agency has the approval of the lead of the selected work group to submit this proposal.**

Coronavirus Relief / Health Care Response / COVID-19 Minnesota Funds Request Form

Please complete this form in accordance with the process instructions.

Agency/Point of Contact: Department of Human Services/Ahna Minge

Title of Request: Department of Human Services Operating Funding - Central Office

Date: 7/2/2020 **Request Amount:** \$ 5,430,000

Expenditure Time Period: 3/13/2020 to 6/30/2020

Request Funding Source:

- Coronavirus Relief Fund (if selected complete page 2)
- Health Care Response Fund
- COVID-19 Minnesota Fund

Brief Summary of Request: (Summary must be complete on this page with supporting information attached)

This proposal requests \$5.430 million for the Department of Human Services (DHS) Central Office from the Coronavirus Relief Fund. DHS Central Office staff have been integral in the state's COVID-19 response by ensuring health care coverage, maintaining child care access for families, supporting long term care facilities, providing safe and stable housing, and promoting food security. This request reflects a subset of COVID-19 costs incurred by the DHS Central Office in FY 2020.

A major cost driver for the DHS Central Office in FY 2020 is hours worked on the COVID-19 response, for which approximately \$2.1 million is included in this request. Several specific examples of COVID-19 worked time include:

- As a part of the COVID-19 response, DHS implemented a number of program modifications. DHS estimates staffing costs of \$1.069 million to implement modifications necessary to maintain continuous health coverage and support nursing facilities in FY 2020.
- DHS redeployed over 100 staff to the State Emergency Operation Center and Governor's Work Groups, whose salary costs were paid by DHS. The cost of this work is estimated to be \$594 thousand in FY 2020.
- DHS estimates \$414 thousand in COVID-19 work costs for staff time usually supported by dedicated funding, for which COVID-19 work is not an eligible use of funding.
- DHS estimates it will incur \$150 thousand in COVID-19 overtime costs in direct appropriated funds in FY 2020.

DHS estimates Central Office employees will use over \$1.5 million in COVID-19 leave in FY 2020. The cost of this leave was not accounted for in the agency's appropriations. Due to the nature of DHS's work during the emergency, significant staff absence can not be absorbed and results in additional hiring, overtime, and costs at a later date.

DHS made multiple modifications to its information technology systems to respond to COVID-19. The estimated cost of these changes and other non-personnel expenses is about \$1.7 million.

Charles E. Johnson Digitally signed by Charles E. Johnson
Date: 2020.07.02 11:39:48 -05'00'
Department Head Signature

7/2/2020
Date

Coronavirus Relief Fund (CRF) Categories

Medical Expenses	<input type="checkbox"/> Costs incurred by public hospitals, clinics, and similar facilities
	<input type="checkbox"/> Establishing temporary public medical facilities and other measures to increase treatment capacity, including related construction costs
	<input type="checkbox"/> Testing, including serological testing
	<input type="checkbox"/> Emergency medical response expenses, including emergency medical transportation
	<input type="checkbox"/> Establishing and operating public telemedicine capabilities for COVID-19 related treatment
Public Health Expenses	<input type="checkbox"/> Communication and enforcement of public health orders related to COVID-19.
	<input type="checkbox"/> Acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers
	<input type="checkbox"/> Disinfection of public areas and other facilities, e.g., nursing homes, in response to the COVID-19 public health emergency
	<input type="checkbox"/> Technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety
	<input type="checkbox"/> Public safety measures undertaken in response to COVID-19
	<input type="checkbox"/> Expenses for quarantining individuals
	<input type="checkbox"/> Contact tracing
	<input type="checkbox"/> Recovery planning projects or operating a recovery coordination office
Payroll Expenses	<input checked="" type="checkbox"/> Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
Compliance with Public Health Measures	<input type="checkbox"/> Food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
	<input type="checkbox"/> Facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
	<input type="checkbox"/> Improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions
	<input checked="" type="checkbox"/> Providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions
	<input type="checkbox"/> Maintaining state prisons and county jails, including sanitation and the improvement of social distancing measures, to enable compliance with COVID-19 public health precautions
	<input type="checkbox"/> Care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions
Economic Support	<input type="checkbox"/> Provision of grants to small businesses to reimburse the costs of business interruption caused by required closures
	<input type="checkbox"/> Expenditures related to a state, territorial, local, or tribal government payroll support program.
	<input type="checkbox"/> Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise
	<input type="checkbox"/> Facilitation of livestock depopulation incurred by producers due to supply chain disruption
	<input type="checkbox"/> Programs designed to prevent eviction and assist in preventing homelessness due to COVID-19 public health emergency
	<input type="checkbox"/> Employment and training programs for employees that have been furloughed due to the COVID-19 public health emergency
	<input type="checkbox"/> Emergency financial assistance to individuals or families directly impacted by loss of income
Other	<input type="checkbox"/> Other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria. If this category is selected, please explain further here:

CRF Fund Request Confirmations

- **Confirm that your CRF funding request meets federal guidance: (1) as a necessary expenditure to respond to the COVID-19 public health emergency, (2) is not accounted in the current biennial budget and (3) funds will be expended by December 30, 2020.**
- **Confirm that your CRF funding request does NOT include expenses that cover:**
 - The state's share of Medicaid costs
 - Damages covered by insurance
 - Payroll or benefits of employees whose work duties are not substantially dedicated to mitigating or responding to COVID-19
 - Costs reimbursed under other federal programs or funding sources
 - Reimbursement to donors for donated items or services
 - Workforce bonuses other than hazard pay or overtime
 - Severance pay
 - Government revenue replacement, including provision of assistance to individuals or businesses to meet tax obligations
- **Confirm that your agency will maintain records related to these expenses that will be sufficient to demonstrate that they are in accordance with the requirements of the CARES Act.**
- **Confirm that your agency has the approval of the lead of the selected work group to submit this proposal.**

Coronavirus Relief / Health Care Response / COVID-19 Minnesota Funds Request Form

Please complete this form in accordance with the process instructions.

Agency/Point of Contact: Department of Human Services/Ahna Minge

Title of Request: Department of Human Services Operating Funding - Direct Care and Treatment

Date: 7/2/2020 **Request Amount:** \$ 13,059,000

Expenditure Time Period: 3/13/2020 to 6/30/2020

Request Funding Source:

- Coronavirus Relief Fund (if selected complete page 2)
- Health Care Response Fund
- COVID-19 Minnesota Fund

Brief Summary of Request: (Summary must be complete on this page with supporting information attached)

This proposal requests \$13.059 million in Coronavirus Relief Funds for the Direct Care and Treatment (DCT) program within the Department of Human Services (DHS). DCT is a state-operated health system operating across almost 200 sites statewide and serving 12,000 Minnesotans a year. Because DCT operates 24/7 facilities, there is limited ability to absorb costs.

DHS estimates that DCT will spend above the requested at in FY 2020 to respond to the public health emergency. This request is driven by costs associated with:

- Staff time for planning and recovery activities,
- COVID-19 leave, and
- Personal protective equipment (PPE) and supplies.

This request does not reflect all DCT costs associated with COVID-19, such as costs to redeploy staff from closed facilities or staff time spent on cleaning, prevention, or patient care related to COVID-19 that is within the normal activities of the department.

DHS requests funding to cover staff time spent on planning and recovery activities, estimated to be \$3.065 million in FY 2020. This includes staff time for incident management, as well as site-specific infection control activities.

DHS also requests funding to cover leave costs for staff. DHS estimates these costs will total \$9.646 million in FY 2020. DCT facilities must maintain adequate staffing to meet licensing requirements and provide appropriate patient care. When a staff takes leave, the role cannot go unfilled. As a result, staff absences create unbudgeted costs that must be covered by paying for a second worker.

The request also includes \$348 thousand for personal protective equipment and supplies. Total PPE expenditures exceed this amount. However, some of these costs may be covered through payments from other federal sources.

Charles E. Johnson Digitally signed by Charles E. Johnson
Date: 2020.07.02 11:41:12 -05'00'
Department Head Signature

7/2/2020
Date

Coronavirus Relief Fund (CRF) Categories

Medical Expenses	<input type="checkbox"/> Costs incurred by public hospitals, clinics, and similar facilities
	<input type="checkbox"/> Establishing temporary public medical facilities and other measures to increase treatment capacity, including related construction costs
	<input type="checkbox"/> Testing, including serological testing
	<input type="checkbox"/> Emergency medical response expenses, including emergency medical transportation
	<input type="checkbox"/> Establishing and operating public telemedicine capabilities for COVID-19 related treatment
Public Health Expenses	<input type="checkbox"/> Communication and enforcement of public health orders related to COVID-19.
	<input checked="" type="checkbox"/> Acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers
	<input type="checkbox"/> Disinfection of public areas and other facilities, e.g., nursing homes, in response to the COVID-19 public health emergency
	<input type="checkbox"/> Technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety
	<input type="checkbox"/> Public safety measures undertaken in response to COVID-19
	<input type="checkbox"/> Expenses for quarantining individuals
	<input type="checkbox"/> Contact tracing
Payroll Expenses	<input type="checkbox"/> Recovery planning projects or operating a recovery coordination office
	<input checked="" type="checkbox"/> Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
Compliance with Public Health Measures	<input type="checkbox"/> Food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
	<input type="checkbox"/> Facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
	<input type="checkbox"/> Improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions
	<input checked="" type="checkbox"/> Providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions
	<input type="checkbox"/> Maintaining state prisons and county jails, including sanitation and the improvement of social distancing measures, to enable compliance with COVID-19 public health precautions
	<input type="checkbox"/> Care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions
Economic Support	<input type="checkbox"/> Provision of grants to small businesses to reimburse the costs of business interruption caused by required closures
	<input type="checkbox"/> Expenditures related to a state, territorial, local, or tribal government payroll support program.
	<input type="checkbox"/> Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise
	<input type="checkbox"/> Facilitation of livestock depopulation incurred by producers due to supply chain disruption
	<input type="checkbox"/> Programs designed to prevent eviction and assist in preventing homelessness due to COVID-19 public health emergency
	<input type="checkbox"/> Employment and training programs for employees that have been furloughed due to the COVID-19 public health emergency
	<input type="checkbox"/> Emergency financial assistance to individuals or families directly impacted by loss of income
Other	<input type="checkbox"/> Other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria. If this category is selected, please explain further here:

CRF Fund Request Confirmations

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- **Confirm that your CRF funding request does NOT include expenses that cover:**
 - The state's share of Medicaid costs
 - Damages covered by insurance
 - Payroll or benefits of employees whose work duties are not substantially dedicated to mitigating or responding to COVID-19
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 - Workforce bonuses other than hazard pay or overtime
 - Severance pay
 - Government revenue replacement, including provision of assistance to individuals or businesses to meet tax obligations
- **Confirm that your agency will maintain records related to these expenses that will be sufficient to demonstrate that they are in accordance with the requirements of the CARES Act.**
- **Confirm that your agency has the approval of the lead of the selected work group to submit this proposal.**

Coronavirus Relief / Health Care Response / COVID-19 Minnesota Funds Request Form

Please complete this form in accordance with the process instructions.

Agency/Point of Contact: Department of Health / Margaret Kelly

Title of Request: Department of Health Operating Reimbursement Request

Date: 7/6/2020 **Request Amount:** \$ 9,734,903

Expenditure Time Period: 3/1/2020 to 6/30/2020

Request Funding Source:

- Coronavirus Relief Fund (if selected complete page 2)
- Health Care Response Fund
- COVID-19 Minnesota Fund

Brief Summary of Request: (Summary must be complete on this page with supporting information attached)

This proposal requests \$9,734,903 for the Department of Health (MDH) to reimburse unbudgeted compensation costs related to the COVID-19 pandemic response from March 1, 2020, through June 30, 2020.

Since the first confirmed case of the novel coronavirus in Washington state on January 21, and the first case in Minnesota on March 6, MDH has responded by providing state-level leadership, coordination and voice to this public health emergency to help slow the spread of the illness and protect our fellow Minnesotans.

Our response goals and activities in the first half of calendar year 2020 include:

1. Providing current and accurate COVID-19 information to the public.
2. Collaborating with state agencies and other partners (local public health, schools, businesses, faith and community groups, etc.) on guidance support for summer and fall planned activities.
3. Working with partners to reach out to every person with a positive COVID-19 test, to provide information, links to resources, and answer questions, and to every person exposed to COVID-19 to provide information on how to maintain separation from others.
5. Supporting responders throughout the state through provision of behavioral health resources.
6. Supporting medical surge, transitional COVID-19 care, and alternate care site planning, working with the SEOC/SHCCC on acute care and long-term care capacity, staffing, and equipment.
7. Support operationalizing statewide testing and Case Investigation/Contract Tracing through the work groups established at the SEOC and MDH.
8. Developing a prioritized testing plan in accordance with empirical epidemiological and health equity concerns.
9. Working to ensure state-wide response activities are adequately resourced through serving as the main financial coordinator of the response.

Through June 30, 2020, MDH will have spent approx. \$18.7 M on pandemic compensation costs. This amount includes approx. \$9.0 M from federal ELC CARES grants, requested "reassignment" flexibility from non-COVID federal Centers for Disease Control and Prevention grants, state COVID funding and agency indirect monies, leaving a balance of \$9.7 M in unbudgeted costs.

Jan K. Malcolm
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Date: 2020.07.06 10:33:27 -05'00'
Department Head Signature

7/6/2020
Date

Coronavirus Relief Fund (CRF) Categories

Medical Expenses	<input type="checkbox"/> Costs incurred by public hospitals, clinics, and similar facilities
	<input type="checkbox"/> Establishing temporary public medical facilities and other measures to increase treatment capacity, including related construction costs
	<input type="checkbox"/> Testing, including serological testing
	<input type="checkbox"/> Emergency medical response expenses, including emergency medical transportation
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Economic Support	<input type="checkbox"/> Provision of grants to small businesses to reimburse the costs of business interruption caused by required closures
	<input type="checkbox"/> Expenditures related to a state, territorial, local, or tribal government payroll support program.
	<input type="checkbox"/> Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise
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Other	<input type="checkbox"/> Other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria. If this category is selected, please explain further here:

CRF Fund Request Confirmations

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- **Confirm that your agency has the approval of the lead of the selected work group to submit this proposal.**